<u>REMARKS</u>

Upon entry of the present response, claims 15, 20 and 21 will have been amended and resubmitted for consideration by the Examiner. Thus, claims 15-35 are pending in the present application.

In view of the herein contained remarks, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections set forth in the above-mentioned Official Action. Such action is respectfully requested and is now believed to be appropriate and proper.

Initially, Applicant would like to express his appreciation to the Examiner for the detailed Official Action provided and for the explanation of how the Examiner interpreted the claim language.

In the outstanding Official Action, the Examiner rejected claims 15, 20, 23, 25 and 26 under 35 U.S.C. § 103(a) as being unpatentable over SHAFFER et al. (U.S. Patent No. 6,785,867) and SHIH (U.S. Patent No. 6,504,626). The Examiner rejected claims 16-19 and 22 under 35 U.S.C. § 103(a) as being unpatentable over SHAFFER et al. and SHIH in view of SHIMA (U.S. Published Patent Application No. 2002/0004802). The Examiner rejected claim 24 under U.S.C. § 103(a) as being unpatentable over SHAFFER and SHIH in view of TOMAT (U.S. Patent No. 6,784,925). The Examiner rejected claim 35 under U.S.C. § 103(a) as being unpatentable over SHAFFER and SHIH in view of KUMPF et al. (U.S. Patent No. 6,289,371). Claims 21 and 27-34 were rejected under the same rationale as claims 15-20, 22-26 and 35.

Applicant respectfully traverses each of the above-noted rejections and submits that they are inappropriate with respect to the combinations of features recited in each of Applicant's claims. Accordingly, Applicant traverses each of these rejections, requests reconsideration and

withdrawal thereof together with an indication of the allowability of all the claims pending in the present application, in due course.

Applicant's invention is directed to a terminal apparatus that is configured to receive image data from a scanner. The terminal apparatus comprises an interface configured to be connected to the scanner by a network. The terminal apparatus includes a memory configured to store information indicating a plurality of file types and an application program associated with each of the plurality of file types, each of the application programs being configured to open a document file associated with at least one of the plurality of the file types.

The terminal apparatus further includes a controller that is configured to receive, from the scanner, a control file including a file name and to also receive from the scanner, a document file, the document file including image data scanned by the scanner. The controller is additionally configured to analyze the file name included in the received control file to obtain the file type of the received document file, and to search the memory to determine whether the application program associated with the obtained file type is stored in memory, and to determine the application program associated with the obtained file type, from the application programs stored in memory. The controller is additionally configured to start the application program associated with the obtained file type, when it is determined that the application program associated with the obtained file type is stored in memory and to open the received document file without user input, based on the application program determined in the search.

Independent claim 20 recites a network system including a scanner and a terminal apparatus as generally described above while independent claim 21 recites a generally related communication method.

In direct contrast, SHAFFER et al. relates to a system and method for automatically loading an application program associated with an e-mail application attachment file upon reception of the e-mail. In SHAFFER et al., the computer 114 checks a received e-mail to determine whether or not an attachment file has been sent along with the e-mail. The computer 114 analyzes the received application attachment file for a suffix, and compares the application attachment file suffix with the stored table 213 of application document suffixes. If a match is found, the computer 114 will cause the corresponding application program to be opened. The application program begins running in a minimized condition. Then, when the user accesses the e-mail messages and clicks on the "attachment icon", the application program is released from the minimized condition and then automatically opens the attachment application file (col. 4 lines 9-56). Thus, in SHAFFER et al., opening of the attachment occurs in response to the user input (i.e., clicking of "attachment icon"), in direct contrast to the recitations of the present claims.

In other words, each of the various embodiments of SHAFFER et al. require, as a condition for opening of the attachment application file, that the user click on an "attachment icon". In this regard, the Examiner's attention is respectfully directed to step 314 of Fig. 4, step 518 of Fig. 5, step 418 of Fig. 6 and step 622 of Fig. 7.

However, SHAFFER et al. fails to disclose at least a terminal apparatus that starts the application program associated with the obtained file type when it is determined that the application program associated with the obtained file type is stored in the memory and opens the received document file without user input based upon the application program determined in the search. Rather, in SHAFFER et al., when the user activates the attachment icon, the application is de-minimized and the application attachment file is opened (col.5, lines 34-64). In other

words, in SHAFFER et al., a user input is explicitly disclosed as being required to open the received attachment file (col. 5, lines 62-64). On the other hand, in the present invention, a user input is not required to open the received document file. Moreover, the elimination of the requirement for user input is an explicitly set forth feature of the present invention. As set forth at page 18, starting at line 20, according to a feature of the present invention, "the user just instructs the scanner 2 to specify the destination and to scan the document so that the link application is automatically decided and started up by PC3 as well as scanning of the document and transmission of the image file. Further, at page 19, line 2, Applicant's invention is described as providing that "the user does not have to carry out such operations that the link application is selected at user's own discretion and started up". As a result of these features of Applicant's invention, it is possible to reduce time and effort necessary to carry out the operations and to significantly improve the efficiency of the user's operation.

In this regard, the Examiner asserted in the Official Action of August 23, 2007 that "The claim does not recite opening the received document file without user input". While Applicant does not agree with the Examiner's interpretation of the claim language, by the present amendment, Applicant has amended claims 15, 20 and 21 to even more clearly recite opening the received document file without user input.

Thus, the pending claims are clearly distinguished over SHAFFER et al., for this additional reason, based upon the Examiner's statement.

Accordingly, it is clear that the features recited in Applicant's pending claims are not disclosed in or suggested by SHAFFER et al. cited by the Examiner. Accordingly, the pending claims are distinguished over SHAFFER et al., at least for this explicitly admitted reason.

In setting forth the rejection, the Examiner relies on SHIH to overcome the admitted deficiencies of SHAFFER et al. SHIH relates to a scanner with an external keyboard.

However, SHIH fails to disclose at least a terminal apparatus that starts the application program associated with the obtained file type when it is determined that the application program associated with the obtained file type is stored in the memory and opens the received document file without user input based upon the application program determined in the search. Rather, SHIH merely teaches a scanner with an external keyboard.

Thus, the pending claims are clearly distinguished over SHIH et al.

In addition, it is respectfully submitted that the features recited in Applicant's pending claims are not disclosed in or suggested by any proper combination of SHAFFER et al. and SHIH cited by the Examiner. In particular, even the Examiner's proposed combination of SHAFFER et al. and SHIH would not include at least a controller of a terminal apparatus that is configured to start the application program associated with the obtained file type when it is determined that the application program associated with the obtained file type is stored in the memory and to open the received document file without user input based upon the application program determined in the search. Thus, the pending claims are also submitted to be patentable over the Examiner's proposed combination, since even the combination of SHAFFER et al. and SHIH does not disclose the combinations of features recited in Applicant's pending claims.

Moreover, the Examiner has not set forth a proper reason for combining SHAFFER et al. with SHIH. SHAFFER et al. is directed to a system and method for automatically loading an application program associated with an e-mail application attachment file upon reception of the e-mail. In particular, in SHAFFER et al., a user input is explicitly required to open the received attachment file (col.5, lines 62-64). SHIH is directed to a scanner with an external keyboard.

However, there is no reason why one of ordinary skill in the art would modify SHAFFER et al. to utilize features from SHIH. It does not appear from the SHAFFER et al. disclosure that SHAFFER et al. has any need for an external keyboard since the computers of SHAFFER et al. apparently already have keyboards. Further, the reasons set forth by SHIH et al. for providing an external keyboard to a scanner, do not appear to apply to the SHAFFER et al. disclosure.

Moreover, in setting forth the rejection, the Examiner has asserted no reason whatsoever for the proposed combination. The Examiner has merely set forth, in each instance, the ultimate conclusion of obviousness. However, the Examiner has not submitted any evidence of any sort whatsoever to support such conclusion. A combination rejection under 35 U.S.C. § 103 cannot be supported based merely upon the Examiner's assertion that the proposed combination would have been obvious to one of ordinary skill in the art. Accordingly, there is no additional reason to combine the teachings of SHAFFER et al. and SHIH as proposed by the Examiner.

In regard to the rejection of claims 16-19 and 22, Applicant does not dispute the conventionality of the Lpr/Lpd protocol per se nor of displaying image data on a display of a terminal in the form of a thumbnail, per se. However, the utilization of these various features of Applicant's invention, in the manner recited in the various combinations of Applicant's claims, is not taught, disclosed nor rendered obvious, regardless of whether these features themselves are disclosed by SHIMA.

Further, Applicant submits that dependent claims 24 and 35 are respectively dependent from allowable independent claim 15, which is allowable for at least the reasons discussed supra. Thus, these dependent claims are also allowable for at least the reasons discussed supra. Further, all dependent claims set forth a further combination of elements neither taught nor disclosed by any of the applied references.

For each of the above-noted reasons and certainly for all of the above-noted reasons, it is respectfully submitted that the Examiner's rejections, as set forth in the above-mentioned Official Action, are inappropriate and should be reconsidered and withdrawn.

Accordingly, Applicant respectfully requests reconsideration and withdrawal of each of the outstanding rejections and an indication of the allowability of the pending claims, in due course. Such action is respectfully requested and is now believed to be appropriate and proper.

Applicant notes that the present application is subject to a Final Rejection and that an Applicant cannot amend an application as a matter of right once a final rejection has been issued. However, since the present amendment is based on the Examiner's comments, it is clear that the Examiner has already considered the same and, thus, the present amendment raises no new issues requiring further consideration or search. Thus, entry of the present amendment is proper and is in full accord with 37 C.F.R. § 1.116.

SUMMARY AND CONCLUSION

Applicant has made a sincere effort to place the present application in condition for allowance and believes that he has now done so. Applicant has amended the pending independent claims but only to clarify the recitations thereof while not narrowing the scope of the claims.

With respect to the pending claims, Applicant has discussed the disclosure of the references relied upon by the Examiner, and the features recited in the claims, and has pointed out the shortcomings of the references with respect thereto, as well as the lack of any proper reasoning for the proposed combination.

Accordingly, Applicant has provided a clear evidentiary basis for the patentability of all the claims in the present application and respectfully requests an indication to such effect in due course.
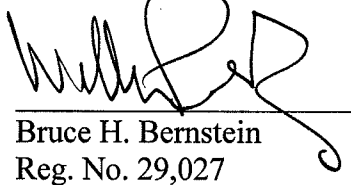
Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based upon the prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to attach thereto.

Should the Examiner have any questions or comments regarding this Response, or the present application, the Examiner is invited to contact the undersigned at the below-listed telephone number.

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October 23, 2007
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